REMARKS/ARGUMENTS

Claims 1-20 remain in the application. All of these claims stand rejected under 35 U.S.C. 103(a) as being unpatentable over Killian (U.S. Patent No. 6,438,592) in view of Denninghoff et al. (U.S. Pat. No. 5,724,070; hereinafter "Denninghoff").

In the Examiner's previous Office Action, the Examiner rejected Applicants' claims over Killian alone. Applicants then merged some of their dependent claim limitations into their independent claims and argued that their amended claims were not taught by Killian. More specifically, and in reference to their claim 1, Applicants argued that "assigning a user patience level for [a] particular user", in the context of "optimizing a computing session for [the] particular user", was not taught by Killian. In response to this argument, the Examiner now concedes that this limitation is not taught by Killian. However, the Examiner asserts that such a limitation is taught by Denninghoff (and, specifically, in col. 1, line 58 – col. 2, line 14 and in col. 4, lines 19-25 of Denninghoff). Applicants disagree.

As taught by Denninghoff in col. 2, lines 1-14 for example, Denninghoff describes the use of "progressive image transmission and display" wherein ". . .information is transferred in such a way that a receiving computer can initially and quickly reconstruct a low-quality or relatively low-resolution version of the ultimate image for the immediate gratification of the user. As more information is transmitted, the receiving computer can display an image at progressively increasing quality or resolution. . .". Denninghoff then states that, "At any time during the transmission, the user can decide that the image is not worth the wait and can abort the transfer." A similar statement is made by Denninghoff in col. 4, lines 22-25. Applicants note, however, that Denninghoff never discloses how to optimize a user's computing session by "monitoring user interaction" or "generating an interaction profile. . .including assigning a user patience level for the particular user". Rather, Denninghoff just provides the same set of data to all users, but enables its display in such a manner that each user can "abort" the display of higher resolution versions of the data. Although each user may choose to "abort" at a different time, based on their own particular patience level, Denninghoff's methods and apparatus provide absolutely no teaching or suggestion that a user's patience level should be monitored

or tracked, or that the user's computing session should then be optimized for them based on their patience level.

Given that neither Killian nor Denninghoff disclose "optimizing a computing session for a particular user", including "assigning a user patience level for [a] particular user", Applicants believe their claim 1 should be allowed. Their claims 2-7 should be allowed at least for the reason that they depend from an allowable claim 1. Their claims 8-20 should be allowed for reasons similar to why claim 1 should be allowed.

Respectfully submitted,
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